

A NOVEL MARRIAGE

OCCURS IN A PUBLIC ROAD IN JOHNSTON COUNTY.

Shipping Peaches and Grapes—A Revenue Raid in Granville County—The Durham and Charlotte Railway—Treasurer Worth Says Only Three Fourths of the Property Pays Taxes—To Hire Out all Convicts in August

Messenger Bureau, Park Hotel, Raleigh, N. C., July 29.

Governor Russell's visit to Old Point August 14th will continue several days. He will go to Virginia Beach, Ocean View and The Capes. His party will be quite a large one.

Peaches and grapes are being shipped from Southern Pines in great quantities. There is a great crop of Niagara and Delaware grapes there.

Last night Revenue Deputy Wiley Jones and a posse made a raid in Granville county nor far from Youngsville, and captured an illicit still of fifty gallons. No arrests were made. It was in the "Hunt's old field" neighborhood, where more stills have been captured than at any other place in this district, or perhaps in all North Carolina.

Yesterday the session of the summer school at the colored Agricultural and Mechanical college began.

The line of the Durham and Charlotte railway is graded to Johnston City, six miles the other side of Deep river. It goes thence to Charlotte, eighty miles, via Troy and Albemarle.

There was a novel marriage in Johnston county a day or two ago. It occurred in the public road. The groom wore only a shirt, trousers and hat and was barefooted. The bride, also barefooted, wore only a calico dress and a poke bonnet.

The partial eclipse this morning attracted much attention. The sky was entirely clear. At 8:30 the temperature was 77 degrees and at 10 o'clock was only one degree higher. There was a pleasant coolness, and shadows were rather indistinct.

State Treasurer Worth makes the sweeping statement that only three-fourths of the property in the state is taxed. The question is how he knows this. The fact is the treasurer's whole idea is to play the part of the grasping creditor, make corporations pay taxes on their property at full cash value, while lands do not pay taxes on over one-third of the actual value. The treasurer also tries to evade every responsibility of the state in the matter of paying appropriations.

F. H. Lybrook, aide to Governor Russell, is rumored of the North Carolina state fair, Colonel Holt having declined the appointment.

The penitentiary superintendent if he can only get enough for labor, convicts during August to pay for feeding and guarding them, then he will come out all right; that the expenses per month are \$11,000, and that he wants to put at work every able-bodied convict now on the farms until September 1st.

Mr. Harden, of Alamance, is to be the clerk to the penitentiary board. The Goldsboro Rifles go into camp at Morehead City August 8th for ten days.

Superintendent Smith went to Goldsboro today to arrange for quarters for 100 convicts who will build a dyke at the Collier farm.

Hiram J. Ham, who has bought the Seven Springs property, wants forty convicts to work there putting the place in shape, build roads, etc.

Electric lights are being put in the penitentiary. The city plant will furnish the light.

A COURT IN NAME.

The Special Term of the Circuit Criminal Court Just Ended—Some of the Features Which Make the Community Tired

The special term of the circuit criminal court of New Hanover county has come to a close and if it is entitled to the slightest respect or commendation of this community we fail to see in what particular. The fact is, it has been a travesty on justice, and, in the fitting language of a distinguished member of the bar, the court has really descended to the order of a melee.

Beyond a doubt the juries have been a disgrace to a civilized community, having been composed largely of the most undesirable class of negroes and whites. The grand jury for the important county of New Hanover and the metropolitan city of the state—the conservator of justice, the right arm of the law—has been composed of eleven negroes and seven white men. Behold the spectacle!

The petit juries have been a mixture of the ignorance of both colors, seemingly actuated by prejudice and narrow-mindedness along the color line. There have been several outrageous acquittals of clearly guilty defendants and six mistrials in cases that would not require an intelligent, patriotic, honest minded jury five minutes to consider. It is not our intention to leave the impression that all the jurymen are of the class to which we allude, for there were some good men on the juries. Enough of the irresponsible kind, however, got in the box to negative the intentions of the jury.

The "professional juror" has been a bane to the court. Court after court the same old crowd assembles in the hall of justice and when talisman juries are called for they are singled out and put in the box. Their faces have grown so familiar that the members of the bar in the night mares of their disturbed slumbers must see their expectant countenances. Although it is a serious matter, the spectator in the court house cannot help taking in the comicality of the situation in watching the anxious, longing faces of these expectant jurors when Deputy Sheriff W. W. King is called upon to summon talisman juries. The summoning, of course, is always done from the hangings on in the court room and the thing has gotten to be so common that it has all the appearance of a put up job. Some of the fellows are so afraid the

deputy sheriff will overlook them that they turn up their wistful faces, move around, stand up, or amble from one place to another. These "professionals" are both white and colored, and the presiding judge has ever remarked that the thing is a flagrant imposition and a menace to the public good. A member of the bar went so far yesterday to say some of this class of jurors are controlled by the lawyers and they can count on them to stand by their cause when they once get into a jury room.

Judge Sutton referring to this matter, said:

"There has been a good deal of talk and comment on the number of mistrials and alleged miscarriages of justice during the recent term of the criminal court of New Hanover county just ended. There is one reason, it seems to us, to be a more potent factor in this direction than any other one. In the city of Wilmington there are more persons exempted from jury service, it seems, than in any other city or town in North Carolina. There are numbers of special acts of exemption by which almost every class, and especially the business men and the merchant class, of the population are exempted from jury service; thus, to a very great extent intelligence is excluded from the jury box and by the act of the very people who wonder why it is that there are so many mistrials. If all the intelligent men get excused from jury service, either by enactment or special plea, then intelligence is driven from the jury box and the sheriff is forced to fall back upon the professional jurors. So that if the intelligent men of this community, the property owners and business men, desire to see fewer mistrials and fewer miscarriages of justice, they should be willing to serve on the jury at least once in a very great while. Until that is done, they should not complain at the mistrials referred to. Jury service is not only a privilege; it is a high duty of the citizens, and the more intelligent the jurors are the more correct and just will be the verdict. When this is not so and intelligence is excluded from the jury box, no one ought to complain at the consequences."

Judge Sutton states the case in its proper light so far as this aspect of the case goes. A lawyer who was discussing this matter with a Messenger representative went so far as to say that at this term of the court there were more colored jurors than whites who owned property and could qualify as jurors.

In one case there has been a great deal of unfavorable comment on the action of the solicitor—viz., in not pressing without consent the case against R. F. Holmes, colored, for committing the outrageous assault upon Mr. R. F. Hamme on the 7th of February, 1895.

This was one of the cases in which the color line was the factor. It came to a trial twice and in each instance there was a mistrial. At the first trial the jury, composed of eleven white men and one colored, stood eleven for conviction to one who declared he would not before he would agree to a verdict of guilty. At the second trial the jury was composed of nine whites, democrats, one white republican and two negroes, and they stood nine for conviction to three for acquittal. In not pressing this case and putting the costs, amounting to more than \$100, on the county, the solicitor did so in face of the fact that at a previous term the accused was willing to put in a plea of nolo contendere and pay the costs.

The case was not pressed without the knowledge or consent of Jno. D. Bellamy, Esq., attorney for Mr. Hamme. Mr. Bellamy was not in the court house at the time and did not learn of the disposition of the case for two hours afterwards. It is believed to be true, however, that it was impossible to have secured a verdict in this case, but to summarily not press it, without notice to Mr. Hamme or his attorney, and to put the costs on the county, was an injustice to Mr. Hamme and an imposition on the community and county.

Well, the court has adjourned and everybody is heartily glad of it.

THE CRIMINAL COURT.

A Mistrial in the Case Against Neill Hayes, Charged With Abortion—Report of the Grand Jury—End of the Special Term.

Pursuant to adjournment on Wednesday evening, the circuit criminal court met yesterday at 9:30 a. m.

The grand jury having completed its work, came into court, made his report as follows, and was discharged:

Wilmington, N. C., July 29, 1897. To the Hon. Thomas H. Sutton, Judge Criminal Court:

Sir—I beg leave to submit herewith the report of the grand jury for the special July term of the criminal court. We have passed upon 60 cases, and have returned 53 true bills and 7 not true bills.

We have examined the home for the aged and infirm and find it kept in good order. The inmates express themselves freely in reference to the manner in which they are treated and cared for by the keeper, Mr. Watson, speaking always in the highest terms of him. We would suggest that there be furnished before cold weather, heaters for both the convict and the infirm wards, as negligence in this matter will no doubt cause suffering the coming winter.

We have also examined the county jail and find it in good order, with the exception of improper ventilation, caused by being too overcrowded, which Mr. King is powerless to remedy. Prisoners incarcerated therein claim to be properly cared for, and to all appearances furnished with all the necessities and properly prepared, substantial food.

Having completed our labors, we beg to be discharged.

Respectfully submitted,

HENRY G. FENNEL, Foreman.

The court took up and disposed of cases as follows:

State vs. Nicholas Nixon, colored, assault and battery with a deadly weapon; defendant submitted. Judge-

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ment suspended on payment of the cost.

State vs. William Nixon, colored, larceny. Continued till the October term. State vs. Robert Williams, colored, larceny; defendant submitted. Sentenced to eighteen months in the state penitentiary.

The jury, which stayed out all night on the case against Neill Hayes, colored, charged with abortion, came into court and reported that it was impossible for them to agree upon a verdict. A juror was withdrawn and a mistrial was ordered. The defendant was bound over to the October term.

About 12 m. the court adjourned sine die.

Judge Sutton left for Fayetteville at 12:15 p. m., and Solicitor Richardson will go home today.

THE ECLIPSE.

The Phenomenon Viewed With Interest in Wilmington—Mr. Eugene Martin Saw it in a Peculiar Way—He Owns the Largest Private Telescope in the State

Yesterday morning was clear and afforded a fine opportunity to watch the eclipse of the sun. Smoked glasses were in order all over the city, and large numbers of people watched the phenomenon. The eclipse began at 8:23:52 a. m., and ended at 11:16:30 a. m. During the progress of the eclipse the sun had the appearance of the moon in its various phases, and at the greatest obscuration there was a hazy cast to the sun's light.

Eugene S. Martin, Esq., of our city, who has the largest telescope in the state, made no observation of the eclipse, as it was an ordinary annular eclipse, and no particular interest attached to it. Mr. Martin, however, observed the different phases of the eclipse in a peculiar way. When the sun is shining through an aperture onto a white object it reflects its shape. While Mr. Martin was sitting at his breakfast table he noticed that the sun cast its shape on the table cloth through a hole in the blinds. There, as plain as could be, was the outlines of the moon's shadow as it made its way across the sun's disk. So Mr. Martin sat in his seat at the table, and with others of the family whom he called, watched the progress of the eclipse outlined on the table cloth.

The Raleigh News and Observer, Wednesday, in speaking of the eclipse, said: "The largest telescope in this state, owned privately, is that of Colonel A. W. Shaffer, of this city. It is of four inches aperture, and it was made by Brashear, of Pittsburgh. It cost \$375. It is mounted in a brick and mortar observatory, and the equipment is very complete. Colonel Shaffer will use it tomorrow in looking at the eclipse. The next largest telescope in the state, owned privately, is that of Mr. Eugene S. Martin, of Wilmington. It is a three-inch, also made by Brashear. Of course, all the principal colleges of the state have large telescopes for use by their classes in astronomy."

Our esteemed contemporary is somewhat mistaken in this matter. Mr. Martin's telescope is the largest private instrument in the state, if Colonel Shaffer's has an aperture of only four inches. Mr. Martin has a three-inch telescope and also one with a five-inch aperture. They were made by Alvan Clark & Sons, the well known instrument manufacturers, of Cambridge, Mass. Mr. Martin's instruments are mounted equatorially in an observatory in his residence, 520 Dock street.

New Paper at Southport

The Messenger cordially welcomes to its list of exchanges The Southport Standard. It is a new paper, and the first issue appeared yesterday with the name of Mr. C. Ed. Taylor at the masthead as proprietor.

The Standard is a six-column folio and cleanly printed. The editorials and local news are well prepared, and the miscellaneous matter is well selected. It is the aim of the publisher of The Standard to make it an independent home paper, and The Messenger extends the new enterprise its best wishes for a successful, prosperous and useful career.

Sport With a Big Alligator
A big alligator made his wallow in the river yesterday about noon at the foot of Orange street. A crowd of men and boys gathered and threw stones at him, and when he was hit he seemed to take it as a matter of course. Instead of swimming away, he would sink out of sight and sometimes rise to the surface closer up to the wharf. Several shots were fired at him with a rifle, but he did not seem to mind the bullets any more than he did the stones.

Ex-President Cleveland is writing quite a number of letters. He proposes to keep his hand in.



THE W. & N. RAILROAD.

The New Company to be Organized Today. The Norfolk Virginian Predicts That the Road Will be Extended and Give That City Connection With New Bern

In accordance with the notice given by Colonel Warren G. Elliott, the stockholders of the new corporation will meet today at 12 m. at his office, in the Atlantic Coast Line building for the purpose of organizing.

In an article concerning this road The Norfolk Virginian of yesterday makes the following prediction: "It was predicted in these columns as early as last April, when the sale was ordered by the federal courts, that the purchasers of the property would be the Atlantic Coast Line, whose magnificent system of trunk lines and branches then touched almost every important point in eastern North Carolina except New Bern. Kingston was the nearest point to that progressive city, reached by the Coast Line, and The Virginian remarked that it would have been at variance with the road's progressive policy of extension had it allowed the excellent system embraced in the Wilmington, New Bern and Norfolk line, tapping the fertile alluvial district and valuable timber lands of the great sound country of Eastern Carolina, to pass into other hands."

The road, however, was as here predicted, purchased by the Atlantic Coast Line and at a price far in excess of any sum that could have been realized on the property had it been sold to any one else. The company proposes to operate the road from Wilmington to New Bern as a part of their system of branch lines which ramify throughout Carolina, but it now appears probable that the road may be extended under its franchise to this place. Branches of the Coast Line reach both Washington and Greenville, and to either point a link could be built from New Bern and directed toward the Norfolk and Carolina railway via Hobgood, to this city. The link from New Bern to Greenville would be about forty-five miles long, or if built, between New Bern and Washington, thirty-five miles.

This would give Norfolk direct rail service to New Bern, an advantage the two cities have never before enjoyed. It is quite probable that the work of making the connection referred to will begin at an early date."

The Strikers' Bureau of Organization

Columbus, Ohio, July 29.—President W. D. McMahon, of the Street Car Employees' Association, left tonight for Charleston, W. Va., where he will establish headquarters for the miners' organizers. The organizers' bureau will be under the direct supervision of Mr. McMahon, and have control of the miners forces in West Virginia. The state has been divided into three districts with a labor leader in charge of each. J. W. Rice, of Chicago, vice president of the Painters and Decorators' National Union will have charge of the Fairmont district; Robert Askew, president of the Miners' National Association, will have charge of the Elk-horn district and Chris Evans, ex-secretary of the American Federation of Labor, will have charge of the New River district.

Found Guilty of Murder

Phillipsburg, July 29.—The trial of Captain Boitcheff, ex-aidé de camp of Prince Ferdinand, of Bulgaria, and prefect of Police Novelles, with Wahlieff, a gendarm, on the charge of murdering Anna Simon, a beautiful singer of Budapest and the mistress of Boitcheff, which began on July 21st, was concluded yesterday. The court found Boitcheff and Novelles guilty of murder and Wahlieff of being accessory to the crime.

Deep Waterways Between the Great Lakes and the Atlantic

Washington, July 29.—The secretary of war has appointed the special board provided for in the sundry civil appropriation bill to make a survey and examination (including estimate of cost) of deep waterways between the great lakes and the Atlantic tide-waters. The personnel of the board is as follows: Major Charles W. Raymond, corps of engineers, Alfred Noblet, of Chicago, and George Y. Wisner, of Detroit.

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